

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JOSE BENIQUEZ,

Petitioner,

21 CIVIL 1467 (PAE)

-against-

JUDGMENT

JAY JOHNSON.

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion & Order dated June 12, 2023, the Court denies Beniquez's February 18, 2021 petition for a writ of habeas corpus. The Court declines to issue a certificate of appealability. Beniquez has not made a substantial showing of a denial of a federal right. Appellate review is therefore not warranted. *Love v. McCray*, 413 F.3d 192, 195 (2d Cir. 2005); 28 U.S.C. § 2253. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith. Therefore, in forma pauperis status is denied for the purpose of an appeal. *Coppedge v. United States*, 369 U.S. 438, 445 (1962).; accordingly, the case is closed.

Dated: New York, New York
June 12, 2023

RUBY J. KRAJICK

Clerk of Court

BY:



Deputy Clerk